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IN THE UNITED STATES PATENT AND TRADEMARK OFFICEApplicant: Daun *et al.*

Examiner: NYA.

Serial No: NYA

Group Art Unit: NYA

Filing Date: July 7, 2004

Corresp. to: PCT/US03/00366

Int. Filing Date: January 7, 2003

Priority: January 7, 2002

Title: DEAZAPURINES AND USES THEREOF

Mail Stop: PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF EXPRESS MAILING

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Signature

Nadège M. Lagneau

Typed Name

Sir:

STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicant requests consideration of this Information Disclosure Statement.

Type of Statement

The present Information Disclosure Statement is:

☒ An *original* Information Disclosure Statement; or☐ A *supplemental* Information Disclosure Statement.

The present Information Disclosure Statement is being filed:

- ☒ Pursuant to 37 CFR § 1.97(b); no fee or certification is required:
- ☒ Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
- ☐ Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;
- ☐ Before the mailing of a first Office action on the merits; or
- ☐ Before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.
- ☐ Pursuant to 37 CFR § 1.97(c) after the dates listed above but before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application; Applicant hereby *either*:
- ☐ Certifies that *either*:
- ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- ☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making

reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.; or

☐ Includes herewith the fee set forth in § 1.17(p).

☐ Pursuant to 37 CFR § 1.97(d), after the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application; Applicant hereby *both*:

☐ Certifies that *either*:

☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.; and

Content of the Information Disclosure Statement

Applicant hereby makes of record in the above-identified application the reference(s) listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

Applicant includes copies of references as indicated below:

- ☒ A copy of each cited reference not indicated with a † is included;
- ☐ Copies of references indicated with an asterisk on the attached form PTO-1449 are not included pursuant to 37 CFR § 1.98(d) because they were previously provided to the United States Patent Office in an Information Disclosure Statement that complies with 37 CFR § 1.98(a)-(c) and was submitted in the following patent application that is relied upon in the present case for an earlier effective filing date under 35 USC § 120:

| Serial Number | Filing Date | Status |
|---------------|-------------|--------|
| | | |

- ☐ Copies of English translations of one or more non-English references are included.

Applicant hereby makes the following additional information of record in the above-identified application:

Applicant certifies that the Information Disclosure Statement *either*:

- ☐ Does not contain non-English language citations;
- ☒ Does contain non-English language citations, of which an English language translation of the Abstract for each is provided herein:

[] Includes one or more translations of a non-English citation

Remarks

The submission of this Information Disclosure Statement should not be construed as a representation that a search has been made.

The submission of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b) .

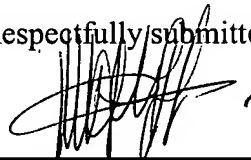
The submission of this Information Disclosure Statement shall not be construed as a representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited patent(s) and publication(s) has (have) been fully considered by the Patent and Trademark Office during the examination of this application; and
3. The citations for the patent(s) and publication(s) be printed on any patent which issues from this application.

Notwithstanding any statements by Applicants, the Examiner is required to form his or her own conclusions regarding the relevance of the cited reference(s).

Respectfully submitted,



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Dated: July 7, 2004

Form PTO-1449
(REV. 8-83)U.S. Department of Commerce
Patent and Trademark OfficeAttorney Docket
2003946-0091
(IKKI/US)In re Application No.
Not Yet Assigned

10/500840

**INFORMATION
DISCLOSURE STATEMENT**
(Use several sheets if necessary)Applicant:
Daun, et alFiling Date:
July 7, 2004Group:
NYA**U.S. PATENT DOCUMENTS**

| Examiner's Initials | U.S. Patent No. | Applicant | Issue Date | Class | Subclass |
|------------------------|-----------------|-------------------|------------------|-------|----------|
| | † 5,486,525 | Summers, et al. | January 23, 1996 | 514 | 303 |
| | † 5,506,238 | Miyake, et al. | April 9, 1996 | 514 | 303 |
| | † 5,654,305 | Shepard, et al. | August 5, 1997 | 514 | 253 |
| | † 6,143,743 | Wilde, et al | November 7, 2000 | 514 | 44 |
| | † 6,410,516 B1 | Baltimore, et al. | June 25, 2002 | 514 | 234.2 |

U.S. PATENT APPLICATIONS

| Examiner's Initials: | Serial Number: | Applicant: | Filing Date: | Group: | Art Unit: |
|-------------------------|----------------|------------|--------------|--------|-----------|
| | | | | | |

FOREIGN PATENT DOCUMENTS

| Examiner's Initials | Document No. | Country | International Publication Date | Translation | |
|------------------------|-----------------|---------|-----------------------------------|-------------|----|
| | | | | Yes | No |
| | EP 0 399 731 B2 | EP | July 11, 2001 | | |
| | EP 0 945 422 A1 | EP | September 29, 1999 | | |
| | EP 0 945 443 A1 | EP | September 29, 1999 | | |
| | EP 1 256 582 A1 | EP | November 13, 2002 | | |
| | WO 99/01454 | PCT | January 14, 1999 | | |
| | WO 99/65909 | PCT | December 23, 1999 | | |
| | WO 00 76505 A1 | PCT | December 21, 2000 | | |
| | WO 01/00610 A1 | PCT | January 4, 2001 | | X |
| | WO 01/30774 A1 | PCT | May 3, 2001 | | X |
| | WO 01/30778 A1 | PCT | May 3, 2001 | | |

† Copies of references not included – requirement waived pursuant to USPTO OG Notice of 8/5/03

Form PTO-1449
(REV. 8-83)U.S. Department of Commerce
Patent and Trademark OfficeAttorney Docket
2003946-0091
(IKKI/US)In re Application No.
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(Use several sheets if necessary)Applicant:
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July 7, 2004Group:
NYA**OTHER DOCUMENTS**Examiner's
Initials

Citation (Including Author, Title, Date, Pertinent Pages, Etc.)

Copy of International Search Report for PCT/US03/00366

EXAMINER**DATE CONSIDERED**

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

† Copies of references not included – requirement waived pursuant to USPTO OG Notice of 8/5/03